

REMARKS

This Amendment responds to the Office Action of September 18, 2008. Claims 91-124 and 130-169 are pending in this application. Claims 1-90 and 125-129 have been previously canceled. Claims 91, 99, and 130, and 134-137 are independent. New claims 137-169 have been added. The new claims include dependent claims system claims that contain elements found in previously presented computer readable medium claims 91-98 (as amended herein). The new claims also include system claims that contain elements found in previously presented computer readable medium claims 99-124 (as amended herein). Claims 124 and 130 are currently amended to make minor corrections to those claims. The amendments and new claims all find support throughout the specification.

In the Office Action, Claims 91-136 were rejected under 35 U.S.C. § 101. Claims 91-92, 97, and 134-136 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Minton (U.S. Patent No. 6,014,643), Fraser (U.S. Patent No. 5,904,974), and Beaudin (U.S. Patent No. 5,050,933), in view of Silverman et al. (U.S. Patent No. 5,136,501). Claims 93-96 and 98 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Minton, Fraser, Beuadin et al., and Silverman et al., in further view of Dinwoodie (U.S. Patent No. 6,415,269). Claims 99-119, 121-124, and 130 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Minton and Fraser, in further view of Beuadin et al. Claims 120 and 131-133 were rejected under 35 U.S.C. § 103(a) as

being unpatentable over Minton, Fraser, Beaudin, et al., Silverman et al., and Dinwoodie et al., in further view of Kane (U.S. Patent No. 6,317,728).

Applicants thank the Examiner for conducting a telephonic interview with Applicants' representative on December 3, 2009. During the interview, Applicants' representative discussed the present claims and why those claims comply with Section 101 and are patentable distinguishable from the prior art of record.

The pending claims recite statutory subject matter under current law and under the Patent Office's August 2009 Interim Examination Instructions For Evaluating Subject Matter Eligibility Under 35 U.S.C. § 101. The pending claims do not include process or method claims.

There are claims are directed to machines (computing devices, computer-implemented systems, and computer readable medium containing a set of computer readable instructions executed on a computing device) having particular practical applications. Those claims as a whole plainly recite statutory subject matter. And as a whole, the claims do not embrace any judicially recognized exception to subject matter eligibility, including abstract ideas, laws of nature, or mathematical algorithms. They recite subject matter that is not abstract and does not encompass a law of nature, mathematical algorithm, a natural phenomenon, let alone substantially all uses of a law of nature, mathematical algorithm, a natural phenomenon. The computer readable medium claims recite a non-transitory, tangible computer readable storage medium that *per se* possesses structural limitations to qualify as a manufacture that is patent-eligible. The

additional limitations to those claims do not render the medium recited in those claims non-statutory because those claims as a whole have real world uses and the medium claims do not cover substantially all uses of any recognized judicial exception. The additional claim limitations are to be evaluated in terms of whether they distinguish over the prior art.

The present claims are patentably distinguishable over the prior art of record for the same reasons discussed during the December 3 telephonic interview and previous telephonic interviews, and which are set forth in greater detail in Applicants' responses to previous office actions, including, for example Applicants' Responses, dated March 10, 2006 and July 21, 2005. We will not burden the Examiner by repeating those remarks in their entirety again here.

For example, the prior art does not teach, disclose, or suggest the single-screen simultaneous display of non-overlapping screen components comprising: (a) a display of the user's current positions in at least one security, (b) a display of an open order list of the user, (c) a display of a trade ticket, and (d) a display of offers to buy and offers to sell at least one security as recited in the independent claims. Prior art systems, such as Minton, for example, contain user interfaces that are inefficient because they require traders to open different windows to monitor positions, the market, and enter trade orders. During the time that the user has to open additional windows to obtain market information, monitor positions, and enter trade orders, the market price changes before the trader can enter the order, which causes the trader to miss his or her desired price.

The prior art of record, including Silverman, for example, also does not disclose, teach, or suggest a display of offers to buy and sell at least one financial instrument that comprises a first display area of sizes for a plurality of buy offers for a financial instrument selected by the user; a second display area of sizes for a plurality of sell offers for the financial instrument selected by the user; and a third display area showing a single list of price levels that correspond to prices for the buy offers in the first display area and the sell offers in the second display area as recited in independent claims 91 and 134-136, for example.

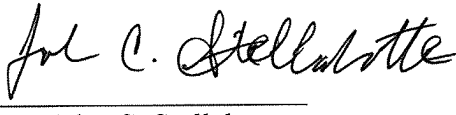
Thus, the prior art of record, in combination, does not teach, disclose, or suggest all of the features recited in independent claims 91, 99, and 130, and 134-137, and thus cannot render those claims obvious. The remaining claims depend from a respective one of the independent claims and partake of their novelty for at least the same reasons, as well as additional reasons discussed in previous telephonic interviews and responses to office actions.

CONCLUSION

In light of the foregoing remarks, Applicants respectfully submit that Claims 91-124 and 130-169 are patentably distinct over the prior art of record, that the application is in proper form for allowance of all claims, and earnestly solicit a notice to that effect.

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